



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
April 28, 2023

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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No. BK-23-10423-mkn

Chapter 11

**FINAL ORDER: (I) AUTHORIZING
CONTINUED USE OF PREPETITION
BANK ACCOUNTS; AND
(II) GRANTING RELATED RELIEF**

Hearing Date: April 20, 2023

Hearing Time: 10:30 a.m.

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Upon the motion (the “Motion”)¹ of the above-captioned debtor and debtor in possession (“Debtor”) for entry of an final order (the “Final Order”) (i) authorizing continued use of prepetition bank accounts, (ii) granting related relief, and (iii) scheduling a final hearing to consider entry of the Final Order, as more fully set forth in the Motion; and the Court having found that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this Chapter 11 Case and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor’s estate, its creditors, and other parties in interest; and the Court having found that Debtor provided appropriate notice of the Motion and the opportunity for a hearing on the Motion under the circumstances; and the Court having found that no other or further notice need be provided; and the Court having reviewed the Motion and the supporting Omnibus Declaration, having heard the statements in support of the relief requested therein at a hearing before the Court (the “Hearing”) and having considered the entire record before the Court; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and any objections to the relief requested herein having been withdrawn or overruled on the merits; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The Motion is GRANTED on a final basis as set forth herein.
2. Debtor is authorized to continue using its integrated Cash Management System as described in the Motion.
3. Debtor is authorized to: (a) continue to use, with the same account numbers, the Bank Accounts in existence as of the date of entry of the order for relief (the “Petition Date”), (b) use, in their present form, all correspondence and Business Forms (including, but not limited to, letterhead, contracts, purchase orders and invoices), as well as Checks and other documents related to the Bank Accounts existing immediately before the Petition Date, without reference to its status as debtor-in-

¹ Unless otherwise defined herein, all capitalized terms have the definitions set forth in the Motion.

1 possession, and (c) treat the Bank Accounts for all purposes as accounts of Debtor as debtor-in-
2 possession.

3 4. Debtor shall maintain records of all transfers, receipts and transactions within the Cash
4 Management System, including the Bank Accounts, so that all transfers, receipts and transactions
5 shall be adequately and promptly documented in, and ascertainable and traceable from, Debtor's
6 books and records, which records shall be made available to the Committee upon reasonable request.

7 5. Except as otherwise expressly provided in this Order and only to the extent funds are
8 available in each applicable Bank Account, the Banks are authorized and directed to continue to use
9 their commercially reasonable best efforts to service and administer the Bank Accounts as accounts
10 of Debtor as debtor-in-possession, without interruption and in the ordinary course, and to receive,
11 process, honor and pay any and all checks, drafts, wires and automated clearing house transfers issued
12 and drawn on the Bank Accounts after the Petition Date by the holders or makers thereof, as the case
13 may be.

14 6. To the extent permitted by an order of this Court other than this Order, the Banks are
15 authorized and directed to continue to use their commercially reasonable best efforts to honor any
16 debits made, drawn or issued in payment of prepetition claims.

17 7. Debtor is authorized to pay the Banks all postpetition ordinary course bank fees,
18 expenses and charges in connection with the Bank Accounts and the Cash Management System.

19 8. Debtor and the Banks are authorized to continue to perform pursuant to the terms of
20 any prepetition documents and agreements governing the Bank Accounts.

21 9. Debtor is authorized to open any new Bank Accounts or close any existing Bank
22 Account as Debtor deems necessary and appropriate in its sole discretion subject to the Debtor having
23 provided the Committee with prior written notice.

24 10. Debtor will use its best commercially reasonable efforts to open a DIP Account with
25 a United States Trustee authorized depository ("UAD"). If a UAD agrees to open a DIP Account,
26 aggregate balances with each of Debtor's prepetition banks that exceed the current FDIC insurance
27 limits of \$250,000 shall be swept into the UAD DIP Account on a regular basis at intervals of at least
28 every month.

11. Debtor and the Banks are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion. Any stay pursuant to Bankruptcy Rule 6004(h) or otherwise is hereby waived and Debtor is excepted from the operation of Bankruptcy Rule 6003(b), and the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

12. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Prepared and respectfully submitted by:

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APPROVED

OFFICE OF THE UNITED STATES TRUSTEE

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies as follows:

- ☐ The Court has waived the requirement of approval in LR 9021(b)(1).
- ☐ No party appeared at the hearing or filed an objection to the motion
- ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Jared A. Day, Trial Attorney
Office of the United States Trustee

APPROVED

Robert J. Gayda, Esq.
Seward & Kissell, LLP
*Attorneys for Official Committee of
Unsecured Creditors*

APPROVED

- ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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